

**DECLARATION, POWER OF ATTORNEY, AND PETITION**

I, Graeme R. Mann, declare that: (1) my residence, citizenship, and mailing address are indicated below; (2) I have reviewed and understand the contents of my patent application, including the claims, as amended by any amendment specifically referred to herein, which is identified as PCT International Patent Application Serial No. PCT/US94/11359, filed October 6, 1994, bearing Attorney Docket No. 50335PCT3A; (3) I believe that I am the original, first, and sole inventor or discoverer of the invention or discovery in

**SECURITY READER FOR AUTOMATIC DETECTION OF  
TAMPERING AND ALTERATION**

described and claimed therein and for which a patent is sought; and (4) I hereby acknowledge my duty to disclose to the Patent and Trademark Office all information known to me to be material to the patentability as defined in Title 37, Code of Federal Regulations, §1.56\*, and that no application for patent or inventor's certificate on this invention or discovery has been filed by me or my legal representatives or assigns in any country foreign to the United States of America except for Australia Application No. PM1661, filed October 6, 1993 upon which I hereby claim foreign priority benefits under Title 35, United States Code Section 119.

I hereby appoint Gary L. Griswold (Reg. No. 25,396), Walter N. Kim (Reg. No. 21,196), Roger R. Tamte (Reg. No. 21,093), Terry L. Qualey (Reg. No. 25,148), Warren R. Bovee (Reg. No. 26,434), Carolyn A. Bates (Reg. No. 27,853), Gerald F. Chernivec (Reg. No. 26,537), and Michael K. Ouyang (Reg. No. 38,574) my attorneys with full powers (including the powers of appointment, substitution, and revocation) to prosecute this application and any division, continuation, continuation-in-part, reexamination, or reissue thereof, and to transact all business in the Patent and Trademark Office connected therewith; the mailing address and the telephone number of the above-mentioned attorneys are

Attention: Michael K. Ouyang  
3M Office of Intellectual Property Counsel  
P.O. Box 33427  
St. Paul, Minnesota 55133-3427  
Telephone No. (612) 733-1500

The undersigned petitioner declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Wherefore, I pray that Letters Patent be granted to me for the invention or discovery described and claimed in the aforesaid specification and I hereby subscribe my name to the foregoing specification and claims, Declaration, Power of Attorney and Petition, on the date indicated below.

S. H. Hui  
Witness

T. B. S.  
Witness

G. R. Mann 25.3.76  
Graeme R. Mann Date  
Residence: 16 Mount Carmel Place, Engadine, NSW 2233,  
Australia  
Citizenship: Australian  
Post Office P.O. Box 33427  
Address: St. Paul, Minnesota 55133-3427

#### **§1.56 Duty to disclose information material to patentability.**

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
  - (i) Opposing an argument of unpatentability relied on by the Office, or
  - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.



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PATENT TRADEMARK OFFICE

Patent  
Case No.: 50335US012

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: MANN, GRAEME R.  
Application No.: Continuation of 09/442,365 Group Art Unit: 2625  
Filed: July 28, 2003 Examiner: Unknown  
Title: SECURITY READER FOR AUTOMATIC DETECTION OF  
TAMPERING AND ALTERATION

ASSOCIATE POWER OF ATTORNEY

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

July 29, 2003  
Date

Colleen M. Wagner  
Signed by: Colleen M. Wagner

Dear Sir:

As an attorney of record in the above-identified application with full power of appointment, substitution, and revocation, I hereby nominate and appoint Melissa E. Buss, Reg. No. 47,465, as an attorney of record in addition to the attorneys previously of record in this application.

Please address all future correspondence in the above-identified patent application to Melissa E. Buss at the address associated with Customer Number:



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PATENT TRADEMARK OFFICE

Respectfully submitted,

July 28, 2003

Date

By:

Carolyn A. Bates

Carolyn A. Bates

Telephone No.: 651-733-1523

Office of Intellectual Property Counsel  
3M Innovative Properties Company  
Facsimile No.: 651-736-3833

